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Question of Cyprus

Oceans and the law of the sea: oceans and the law of the sea

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Letter dated 15 June 2016 from the Chargé d'affaires a.i. of the Permanent Mission of Turkey to the United Nations addressed to the Secretary-General

With reference to the letter of the Permanent Representative of Greece dated 23 May 2016 (A/70/900-S/2016/474), I would like to bring to your attention the following considerations.

One of the principles of international law governing the delimitation of the continental shelf or the exclusive economic zone between States with opposite or adjacent coasts is to produce an equitable result (principle of equity). This principle acquires an added importance in enclosed and semi-enclosed seas, such as the eastern Mediterranean. The delimitation in the eastern Mediterranean should therefore be effected by agreement of all the related parties on the basis of the principle of equity so as not to prejudice the sovereign rights and jurisdiction of other interested States/entities.

Furthermore, concepts like "land dominates the sea" and "cut-off effect" still continue to be among the essential principles of international law and jurisprudence in the context of the delineation of maritime jurisdiction areas. Consequently, it has never been sanctioned by international law on maritime delimitation to cut a coastal State off from its access to the high seas.

Similarly, it is well established in international court rulings that islands do not necessarily generate full maritime jurisdiction zones (continental shelf and/or exclusive economic zone) when they are competing against continental land areas. There are ample examples in international jurisprudence and State practice proving this principle. (The delimitation cases between the United Kingdom and France, Tunisia and Italy, Romania and Ukraine, Bangladesh and Myanmar and Nicaragua and Colombia are just a few examples.)

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In view of the foregoing, the objections of Greece to the Turkish continental shelf in the eastern Mediterranean basically rest on an unfounded and abusive legal footing and only serve to maintain and air its maximalist claims.

On the basis of international law and practice, the delimitation of the continental shelf in the eastern Mediterranean should mainly be concluded between Turkey and Egypt. It is with this understanding that Turkey registered her ipso facto and ab initio legal and sovereign rights in the maritime areas of the eastern Mediterranean that are west of longitude 32°16'18"E (note verbale dated 12 March 2013).

In the light of the foregoing, Turkey refutes all the allegations contained in the letter of the Permanent Representative of Greece.

I would be grateful if the present letter could be circulated as a document of the General Assembly, under agenda items 44 and 79 (a), and of the Security Council, and published in the next *Law of the Sea Bulletin*.

(*Signed*) Güven **Begeç**
Chargé d'affaires a.i.
Deputy Permanent Representative